

Am., 676 F.2d 969, 974-75 (3d Cir. 1982).

F. Compensatory damages for contempt may include an award of damages for emotional distress. See In re Manzanares, 345 B.R. 773, 794–95 (Bankr. S.D. Fla. 2006); In re Feldmeier, 335 B.R. 807, 814 (Bankr. D. Or. 2005); In re Reno, 299 B.R. 823, 829–30 (Bankr. N.D. Tex. 2003); see also Meyers, 344 B.R. at 66-67.

It is therefore **ORDERED** that:

1. As a remedy for civil contempt, the Debtor is awarded compensatory damages against South Philly Auto in the amount of **\$12,362.49** (“the Damages Award”).¹
2. As a remedy for civil contempt, the Debtor is awarded counsel fees in the amount of **\$5,164.20** (“the Fee Award”).²

¹ Following the format (roughly) of the Debtor’s itemization filed with the court on **September 9, 2016** (Doc. # 35), I find the Debtor is entitled to an award for the following categories of compensatory damages:

school loan reimbursement	\$4,345.00
cash benefit repayment obligation	206.00
transportation expenses incurred	213.00
medical expense incurred	545.00
emotional distress damages	5,000.00
repairs to repossessed automobile	<u>2,053.49</u>
TOTAL	\$12,362.49

I have not included in the award \$4,465.00 for an asserted repayment obligation for child care benefits previously provided to the Debtor. The Debtor failed to meet her burden of proof on this claimed damages component.

² The Fee Award is based on the itemization the Debtor’s counsel filed with the court, (Doc. # 36), that was made part of the evidentiary record on **September 22, 2016**.

3. To enforce the Damages Award, the Debtor may:
 - a. set off the Damages Award against her secured indebtedness to South Philly Auto; and/or;
 - b. reduce the Damages Award to a money judgment by filing a request that the Clerk enter a money judgment in favor of the Debtor and against South Philly Auto.
4. South Philly Auto shall satisfy the Fee Award **on or before October 28, 2016**.
5. Failure to comply with Paragraph 4 may result in additional sanctions, including additional attorney's fees.
6. The Debtor shall serve this Order on South Philly Auto **on or before September 30, 2016** and promptly thereafter file a Certification of Service.

Date: September 26, 2016



**ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE**